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Title Report

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I. OWNERS:

(1) MR. RANA DAS,

-of Premises No.174/8, NetajiSubhas Chandra Bose Road, Kolkata - 700040,-----Owner No. 1.

(2)MRS. LACHMI DEY,

-of Premises No.90/2/3 M. B. Sarani, Kolkata - 700 040.-----Owner No. 2.

II. DESCRIPTION OF PROPERTY:

ALL THAT piece or parcel of land containing by ad-measurement 18 (eighteen) Cottah, a little more or less **TOGETHER WITH** the building/structure standing thereon lying and situate at Premises No. 174/8 Netaji Subhas Chandra Bose Road, Kolkata - 700 040, Police Station:- Netaji Nagar, Previously Regent Park andbutted and bounded as follows:

On the North : By open ground with one-storied building;
On the East : By open lane;

On the South : By 11900mm wide K.M.C. Road; and
On the West: By Premises No.174/33, N.S. Road.

II. DOCUMENTS PERUSED:

Photo-copies of the following:-

- a. Indenture of Conveyance dated the 15th day of August, 1942 made between Calcutta Properties Limited, therein referred to as the Vendor of the One Part and Malina Bose therein referred to as the Purchaser of the Other Part and registered with the Sub-Registrar, Alipore in Book No.I, Volume No.64 Pages 259 to 273, being No.2435 the year 1942.
- b. Indenture of Conveyance dated the 21st day of February, 1966 made between the said Malina Bose therein referred to as the Vendor of the One Part and one Sikha Das therein referred to as the Purchaser of the Other Part and registered with the Sub-Registrar, Alipore in Book No. I, Volume No.6, Pages 297 to 302, Being No. 1449 for the year 1966.
- c. Will dated 13th August 1999 made by the said Sikha Das whereby and where under she devised and bequeathed the property being premises no. 174/8 Netaji Subhas Chandra Bose Road, Kolkata - 700 040 in favour of her son Rana Das and daughter Lachmi Dey in equal shares.
- d. Probate of the Will dated the dated the 13th day of August, 1999, granted to Rana Das and Lachmi Dey on 31st day of March, 2004 by the Court of Learned District Delegate at Alipore in Act 39 Case No. 247 of 2003 (P).
- e. Agreement dated 8th day of February, 2013(hereinafter referred to as the said **DEVELOPMENT AGREEMENT**) made between the said Rana Das therein referred to as the Owner No.1, the said Lachmi Dey therein referred to as the Owner No.2 and Unimark Realty Private Limited therein referred to as the Developer of the Third Part registered with the office of Additional District Sub-Registrar Alipore in Book No. I, CD Volume No.5, Pages 4142 to 4178, Being No.01225 for the year 2013.
- f. Power of Attorney dated 8th day of February, 2013 executed by the said Rana Das and Lachmi Dey therein jointly referred to as the Owners in pursuance of the said Development Agreement and registered with the office of the Additional District Sub-Registrar, Alipore and recorded in Book No. I, CD Volume No.5, Pages 4023 to 4032, Being No.01226 for the year 2013.

- g. Another Power of Attorney dated 8th day of February, 2013 executed by the said Rana Das and Lachmi Dey therein jointly referred to as the Owners in pursuance of the said Development Agreement and registered with the office of the Additional District Sub-Registrar, Alipore and recorded in Book No. I, CD Volume No.5, Pages 4011 to 4022, Being No.01227 for the year 2013.
- h. Municipal Assessment Book issued by the Kolkata Municipal Corporation, Lands and Buildings Assessment Department.
- i. Property Tax Receipt dated 28.04.2014 issued by Kolkata Municipal Corporation.
- j. No Objection Certificate issued by the Competent Authority vide a Communication no. 170/XVI-3603/2013 dated 7.2.2014, under the Urban (Ceiling and Regulation) Act, 1976 in the respect of the said Property.

III. SEARCHES CONDUCTED AT:

1. **The Offices of Registration:-**

(a) Additional District Sub-Registrar, Alipore for the period from 1984 to 2014 and (till March, 2015), Vide Receipt Number V-892603, and Serial Number of Application 13403

(b) District Registrar, South 24 Parganas at Alipore, for the period from 1984 to 2014 and (till March, 2015), Vide Receipt Number V-892603, and Serial Number of Application 13403

(c) Additional Registrar of Assurances, Calcutta, for the period from 1984 to 2014 and (till March, 2015), Vide Receipt Number U-632778 and Serial Number 24678.

The Original Search Receipts are enclosed herewith.

2. DISTRICT COURT

- A. Ld. 1st Court of Civil Judge (Junior Div.) at Alipore for any pending Title Suit for the period from 2004 to March, 2015, in the name of Rana Das of 174/8, Netaji Subhas Chandra Bose Road, Kolkata-700 040, under Police Station Regent Park.

- B. Ld. 1st Court of Civil Judge (Junior Div.) at Alipore for any pending Title Execution for the period from 2004 to March, 2015, in the name of Rana Das of 174/8, Netaji Subhas Chandra Bose Road, Kolkata- 700 040, under Police Station Regent Park.
- C. Ld. 1st Court of Civil Judge (Junior Div.) at Alipore for any pending Title Suit for the period from 2004 to March, 2015, in the name of Mrs. Lachmi Dey of Premises No.90/2/3 M. B. Sarani under Police Station Regent Park.
- D. Ld. 1st Court of Civil Judge (Junior Div.) at Alipore for any pending Title Execution for the period from 2004 to March, 2015, in the name of Mrs. Lachmi Dey of Premises No.90/2/3 M. B. Sarani under Police Station Regent Park.
- E. Ld. 1st Court of Civil Judge (Junior Div.) at Alipore for any pending Title Suit for the period from 2004 to March, 2015, in respect of Premises No. 174/8 Netaji Subhas Chandra Bose Road, Kolkata – 700 040, Police Station:- Netaji Nagar, Previously Regent Park.
- F. Ld. 1st Court of Civil Judge (Junior Div.) at Alipore for any pending Title Execution for the period from 2004 to March, 2015, in respect of Premises No. 174/8 Netaji Subhas Chandra Bose Road, Kolkata – 700 040, Police Station:- Netaji Nagar, Previously Regent Park..
- G. Ld. 2nd Court of Civil Judge (Junior Div.) at Alipore for any pending Title Suit, in respect of Premises No. 174/8 Netaji Subhas Chandra Bose Road, Kolkata – 700 040, Police Station:- Netaji Nagar, Previously Regent Park..
- H. Ld. 3rd Court of Civil Judge (Senior Div.) at Alipore for any pending Title Suit for the period from 2004 to March, 2015, in the name of Rana Das of 174/8, Netaji Subhas Chandra Bose Road, Kolkata- 700 040, under Police Station Regent Park.
- I. Ld. 3rd Court of Civil Judge (Senior Div.) at Alipore for any pending Title Execution for the period from 2004 to March, 2015, in the name of Rana Das of 174/8, Netaji Subhas Chandra Bose Road, Kolkata- 700 040, under Police Station Regent Park.
- J. Ld. 3rd Court of Civil Judge (Senior Div.) at Alipore for any pending Title Suit for the period from 2004 to March, 2015, in the name of Mrs. Lachmi Dey of Premises No.90/2/3 M. B. Sarani under Police Station Regent Park.

- K. Ld. 3rd Court of Civil Judge (Senior Div.) at Alipore for any pending Title Execution for the period from 2004 to March, 2015, in the name of Mrs. Lachmi Dey of Premises No.90/2/3 M. B. Sarani under Police Station Regent Park.
- L. Ld. 3rd Court of Civil Judge (Senior Div.) at Alipore for any pending Title Suit for the period from 2004 to March, 2015, in respect of Premises No. 174/8 Netaji Subhas Chandra Bose Road, Kolkata - 700 040, Police Station:- Netaji Nagar, Previously Regent Park.
- M. Ld. 3rd Court of Civil Judge (Senior Div.) at Alipore for any pending Title Execution for the period from 2004 to March, 2015, in respect of Premises No. 174/8 Netaji Subhas Chandra Bose Road, Kolkata - 700 040, Police Station:- Netaji Nagar, Previously Regent Park..

The Original Search Receipts are enclosed herewith

3. Hon'ble High Court

- a. Sheriff Searching in the name of Rana Das of 174/8, Netaji Subhas Chandra Bose Road, Kolkata- 700 040, for the period of 2004 to 2015.
- b. Sheriff Searching in the name of Mrs. Lachmi Dey of Premises No.90/2/3 M. B. Sarani for the period of 2004 to 2015.
- c. Sheriff Searching in respect of in respect of Premises No. 174/8 Netaji Subhas Chandra Bose Road, Kolkata - 700 040, Police Station:- Netaji Nagar, Previously Regent Park for the period of 2004 to 2015.

The Original Search Receipts are enclosed herewith.

IV. OWNERSHIP AND TITLE:

- a. By an Indenture of Conveyance dated the 15th day of August, 1942 made between Calcutta Properties Limited, therein referred to as the Vendor of the One Part and Malina Bose, therein referred to as the Purchaser of the Other part and, registered with the Sub - Registrar, Alipore in Book No.I, Volume No. 64 Pages 259 to273, being No. 2435 the year 1942 the said Calcutta Properties Limited granted transferred

conveyed assigned and assured **ALL THAT** the piece and parcel of land being Plot No. 6 of Charu Park (Regent Park) containing an area of 1 Bigha 1 Chittack 7 sq. ft. appertaining to Touzi Nos. 151, 152 and 56 of 24 Parganas Collectorate situate and lying in vill. Khanpur J. L. No. 46 within the jurisdiction of Tollygunge Municipality more fully and particularly described in the Schedule thereunder written unto and in favour of the said Malina Bose absolutely and forever for the consideration mentioned therein.

- d. The said land was thereafter assessed by the then Corporation of Calcutta and numbered as Premises No.174/8 NetajiSubhas Chandra Bose Road, Calcutta-700040.
- e. By an Indenture of Conveyance dated the 21st day of February, 1966 made between the said Malina Bose, therein referred to as the Vendor of the One Part and Sikha Das, therein referred to as the Purchaser of the Other Part and, registered with the Sub- Registrar, Alipore in Book No.I, Volume No.6, Pages 297 to 302, Being No.1449 for the year 1966, the said Malina Bose granted, transferred, conveyed, assigned and assured **ALL THAT** the piece and parcel of land being Plot No. 6 of Charu Park (Regent Park) containing an area of 18 Cottah appertaining to Touzies Nos. 151, 152 and 56 of 24 Parganas Collectorate situate and lying in vill. Khanpur J. L. No. 46 assessed and numbered as the Municipal Premises No. 174/8 NetajiSubhas Chandra Bose Road, Calcutta-700040 within the jurisdiction of the Kolkata Municipal Corporation (hereinafter referred to as the "**said Land**") and more fully and particularly described in the Schedule thereunder written) unto and in favour of the said Sikha Das absolutely and forever for the consideration therein mentioned.
- f. The said Sikha Das constructed and erected a two storied brick built messuage tenement and/or dwelling house and other structures upon the said land or on part thereof (hereinafter the said land and the said buildings and structures collectively referred to as the "**said Property**").
- g. The said Sikha Das, being governed by the Dayabhaga School of Hindu Law, died on the 13th day of April, 2003, after making and publishing her Last Will & Testament dated the 13th day of August, 1999, whereby and whereunder she appointed the Owner No.1 and No.2 herein as the executor and executrix to the said Will and gave devised and bequeathed the said property to the said Owner No.1 and No.2 herein in equal shares absolutely and forever.
- h. Probate in respect of the said last Will and Testament of Late Sikha Das was obtained by the Owner No.1 and No.2 as executor and executrix from the Court of the Learned District Delegate at Alipore in Act 39 Case No. 247 of 2003 (P) on the 31st day of March, 2004 and

administration of the estate of Sikha Das (since deceased) was duly completed and the Owner No.1 and No.2 herein became the absolute joint owners of the said Property having equal shares therein.

- i. The Owner No.2 filed a Title (Partition) Suit No.13 of 2013 (hereinafter referred to as the said **Partition Suit**) before the Court of Learned 3rd Civil Judge (Senior Division) at Alipore for partition of the said Property and other consequential reliefs relating thereto.
- j. During pendency of the aforesaid Partition Suit, the substratum of the dispute had been resolved amongst the parties thereto and they had decided to develop the said Property by engaging a common developer namely M/s Unimark Realty Pvt. Ltd. and agreed to withdraw the said Partition Suit.
- k. Consequently, the Owner no. 2 filed an application for dismissal of the aforesaid Title (Partition) Suit No. 13 of 2013 for non – prosecution before the Court of Learned 3rd Civil Judge (Senior Division) at Alipore which application was allowed by the aforesaid court vide an order no. 4 dated 11.02.2013.
- l. By an Agreement dated 8th day of February, 2013 (hereinafter referred to as the said **DEVELOPMENT AGREEMENT**) registered with the office of Additional District Sub-Registrar Alipore in Book No. I, CD Volume No.5, Pages 4142 to 4178, Being No.01225 for the year 2013, entered into by and between the said Mr. Rana Das therein referred to as the Owner No.1 of the One Part, Mrs. Lachmi Dey therein referred to as the Owner No.2 of the Second Part and the said Unimark Realty Private Limited therein referred to as the Developer of the Third Part, the Owners have entrusted the Developer to undertake development of **ALL THAT** piece or parcel of land containing by ad-measurement 18 (eighteen) Cottah, a little more or less **TOGETHER WITH** building/structure standing thereon lying and situate at Premises No. 174/8 Netaji Subhas Chandra Bose Road, Kolkata – 700 040 (hereinafter referred to as the said **Property**) under the terms and conditions recorded and contained therein.
- m. Pursuant to the said Development Agreement, by a Power of Attorney dated 8th day of February, 2013 executed by the said Mr. Rana Das and Mrs. Lachmi Dey therein jointly referred to as the Owners and registered with the office of the Additional District Sub-Registrar, Alipore and recorded in Book No. I, CD Volume No.5, Pages 4023 to 4032, Being No.01226 for the year 2013, the said Owners therein nominated, constituted and appointed Mr. Harsh Vardhan Patodia and Mr. Kumar Vardhan Patodia as their true and lawful Attorneys for the purpose inter alia to do act and perform various acts deeds and

things for sale and transfer of the Developers' Allocation in the proposed New Buildings at the said Property.

- n. Pursuant to the said Development Agreement, by another Power of Attorney dated 8th day of February, 2013 executed by the said Mr. Rana Das and Mrs. Lachmi Dey therein jointly referred to as the Owners and registered with the office of the Additional District Sub-Registrar, Alipore and recorded in Book No. 1, CD Volume No.5, Pages 4011 to 4022, Being No.01227 for the year 2013, the said Owners therein nominated, constituted and appointed Mr. Harsh Vardhan Patodia and Mr. Kumar Vardhan Patodia as their true and lawful Attorneys for the purpose inter alia to do, act and perform various acts, deeds and things for development of the said Property.

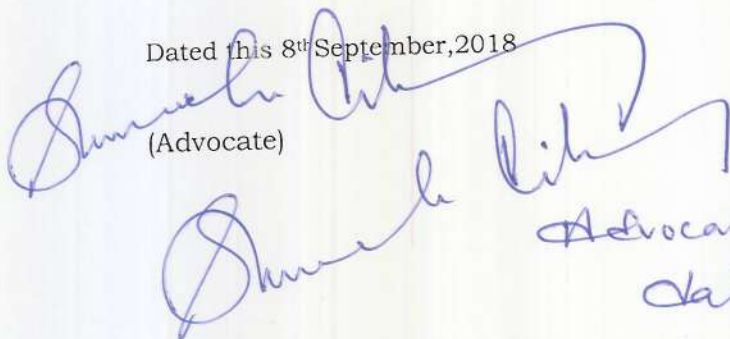
V. FINDINGS:

- (a) No adverse entry against the said Premises was found during searches from the available records at the aforementioned Registration Offices.
- (b) The said Property has been mutated in the names of the Owners No. 1 and the Owner no. 2 in the records of the Kolkata Municipal Corporation.
- (c) Upon perusal of the Property Tax Receipt dated 28.04.2014 issued by Kolkata Municipal Corporation it also transpires that Municipal Corporation Tax in respect of the said Premises has been paid upto 4th quarter of 2014-2015.
- (d) In pursuance of the said Development Agreement, the said Unimark Realty Private Limited has applied for sanction of a plan for development of the said Property before the Kolkata Municipal Corporation.

VI. Conclusion :

Considering and perusing the abovementioned documents, papers and searches, we are of the view that the said Mr. Rana Das and Mrs. Lachmi Dey have good, authentic and marketable title in respect of the said Property free from all encumbrances, mortgages, trusts, liens, charges, lispence.

Dated this 8th September, 2018


(Advocate)

Advocate.

Dated. 8/09/2018.